

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, NOVEMBER 16, 2022
AMENDED

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted via teleconferencing in accordance with AB 361. The District office at 20863 Stevens Creek Blvd, Suite 100, Cupertino was closed.

1. ROLL CALL:

President Bosworth called the meeting to order, and the following proceedings were had to wit: Roll call was taken, with the following members in attendance:

Directors present: Angela S. Chen, Taghi S. Saadati, David A. Doyle, William A. Bosworth and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: None

2. AB 361:

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

On a motion by President Bosworth, seconded by Director Chen, by a vote of 5-0-0, the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Bosworth adjourned the regular meeting session and opened the closed session at 7:02 p.m. Manager Porter, and Deputy Manager Woodhouse were excused from the closed session.

- A. Conference with legal counsel – Existing Litigation in accordance with government code section Paragraph (1) of Subdivision (d) of Section 54956.9, existing litigation. Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District, and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

Board action: There was no reportable action.

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President Bosworth adjourned the closed session at 7:10 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Chen, seconded by Director Doyle, by a vote of 3-0-0, the minutes of the regular meeting held Wednesday, October 19, 2022, were approved. President Bosworth and Director Kwok abstained, as they were absent from the October 19th meeting.
- B. By consensus, the Minutes of Wednesday, October 5, 2022, are to be Noted & Filed.
- C. The Board reviewed October payable warrants and financial statements. On a motion by Director Saadati, seconded by Director Chen, by a vote of 5-0-0, the financial statements and payment of bills for October were approved as written.
- D. Board members submitted their November timesheets to Manager Porter.

6. CORRESPONDENCE:

There was none.

7. MEETINGS:

- A. Manager Porter and Deputy Manager Woodhouse both plan to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Committee (TAC) to be held on Monday, December 5, 2022.
- B. President Bosworth plans to attend the Santa Clara County Special Districts Association regular teleconference meeting to be held on December 5, 2022.
- C. Director Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, December 8, 2022.

8. REPORTS:

- A. Manager Porter reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Committee (TAC) held on Monday, November 7, 2022.
- B. Director Kwok reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, November 10, 2022.
- C. Deputy Manager Woodhouse reported on the CASA Collection Systems Workgroup held November 1, 9, and 16, 2022.

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9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.
- B. The Board reviewed the draft annual report. On a motion by Director Saadati, seconded by Director Kwok, by a vote of 5-0-0, the Board approved the annual report.
- C. The Board discussed renewal of the Special District Leadership Foundations Transparency Certificate of Excellence. On a motion by Director Doyle, seconded by Director Saadati, by a vote of 5-0-0, the Board directed Staff to submit application for renewal.

Senior Engineer Vani Kathula joined the meeting for Agenda Items 10A and 10D.

10. NEW BUSINESS:

- A. The Board reviewed the memo titled Significant Defect Repair Project – Phase I Bid Opening Results. On a motion by Director Saadati, seconded by President Bosworth, by a vote of 5-0-0, the Board approved contract for the low bid amount of \$127,800 and a contingency amount of 10%.
- B. The Board reviewed the memo titled Purchase of Uniform T-Shirts. On a motion by Director Kwok, seconded by Director Chen, by a vote of 5-0-0, the Board approved the purchase of uniform t-shirts.
- C. The Board discussed upcoming CASA Winter Conference to be held January 25-27, 2023 in Palm Springs, CA. The entire Board, District Counsel, and two Staff members plan to attend the conference.
- D. The Board reviewed the memo titled Cupertino and Saratoga Overlay Emergency Spot Repairs - Project Closeout and Final Acceptance. On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the Board accepted the project and authorized payment in the amount of \$54,058.43 to C2R Engineering, Inc, as first and final payment.

11. STAFF REPORTS:

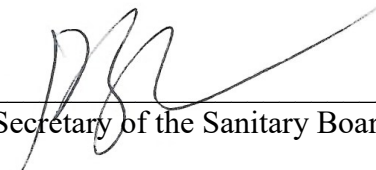
- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on the Monthly Maintenance Summary.

12. CALENDAR ITEMS:

- A. The next regular Board meeting is to be held on Wednesday, December 7, 2022.

13. ADJOURNMENT:

On a motion properly made and seconded, at 8:57 p.m. the meeting was adjourned.



Secretary of the Sanitary Board



President of the Sanitary Board